

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WALTER MACON)	CASE NO.
)	
Plaintiff)	JUDGE
)	
vs.)	
)	PETITION FOR REMOVAL
ALLSTATE INSURANCE COMPANY)	
)	
Defendants)	

To: The Honorable Judges of the United States District Court,
Northern District of Ohio, Eastern Division

Pursuant to 28 USC §§1332, 1441, and 1446, Allstate Insurance Company (“Allstate”) petitions this Court for an order removing this action from the Cuyahoga County Court of Common Pleas to the United States District Court for the Northern District of Ohio, Eastern Division. For cause, Allstate states:

1. The petitioner is the defendant in the instant action.
2. The plaintiff commenced this action by filing a summons and complaint in the Court of Common Pleas of Cuyahoga County, Ohio on July 6/30/2017. A copy of the plaintiff’s complaint and summons is attached as Exhibit A.
3. The defendant was successfully served on or about July 7, 2017.
4. Defendant Allstate is incorporated in the State of Delaware, with its principal place of business located in the State of Illinois. Plaintiff Walter Macon resides at 3655 East 116th Street, Cleveland, Ohio 44105.
5. This Court has original jurisdiction over the civil action pursuant to 28 USC §1332, as the amount in controversy reasonably exceeds the value of \$75,000.00, exclusive of interest and costs. The defendant believes that the plaintiff is claiming in excess of \$75,000.00 in damages.

6. The action is based upon vandalism loss to the property at 12721 Emery Avenue, Cleveland, Ohio, arising under a homeowner policy. It is not a claim under a liability policy. This action is between citizens of different states.

WHEREFORE, defendant Allstate respectfully prays that this action be removed from the Cuyahoga County Court of Common Pleas to the United States District Court for the Northern District of Ohio, Eastern Division.

Respectfully submitted,

/s/ Margo S. Meola
BONEZZI SWITZER POLITO & HUPP CO. L.P.A.
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ATTORNEYS FOR DEFENDANT

C E R T I F I C A T I O N

I hereby certify that on the 7th day of August 2017, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties per operation of the court's electronic filing system. Parties may access this filing through the court's system. A copy of this petition for removal was forwarded to counsel for the plaintiff, Melvin H. Banchek, Melvin H. Banchek Co., LPA, 55 Public Square, Suite 918, Cleveland, Ohio 44113, via regular U.S. Mail.

/s/ Margo S. Meola
BONEZZI SWITZER POLITO & HUPP CO. L.P.A.
MARGO S. MEOLA (#0065555)
ATTORNEYS FOR DEFENDANT